

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

KAIST IP US LLC,

Plaintiff

V.

SAMSUNG ELECTRONICS CO., LTD.;
SAMSUNG ELECTRONICS AMERICA,
INC.; SAMSUNG SEMICONDUCTOR,
INC.; SAMSUNG AUSTIN
SEMICONDUCTOR, LLC;
GLOBALFOUNDRIES INC.;
GLOBALFOUNDRIES U.S. INC.; and
QUALCOMM INC.,

Defendants.

NO. 2:16-cv-01314-JRG-RSP

JURY TRIAL DEMANDED

**DEFENDANTS' NOTICE OF RELEVANT DETERMINATIONS
FROM RELATED *EX PARTE* REEXAMINATION PROCEEDING**

Defendants hereby provide the Court a status update of the related *ex parte* reexamination of the patent asserted in this action, U.S. Patent No. 6,885,055 (the “’055 patent”), which is pending before the U.S. Patent and Trademark Office (“PTO”).

On October 8, 2019, the PTO issued an Advisory Action maintaining its final rejection of all asserted claims of the '055 patent (*i.e.*, Claims 1-6, 11-13 and 15-17) on multiple independent grounds of invalidity. The PTO Examiners acknowledged the patent owner's 36-page Response to Final Office Action, a new 24-page declaration by Dr. Kelin Kuhn, two Information Disclosure Statements containing five references collectively, and an 8-page Expedited Petition for Continued Reexamination, and concluded that "even upon the entrance of such documents and consideration of the underlying arguments, Examiners do not find them persuasive to overcome the rejections provided in the 2019 Final [Office Action]."

If the Court would like a copy of the Advisory Action, Defendants can provide one for the Court's consideration.

Dated: October 10, 2019

Respectfully submitted,

/s/ Allan M. Soobert

Allan M. Soobert
Blair M. Jacobs
Stephen B. Kinnaird (*pro hac vice*)
PAUL HASTINGS LLP
875 15th Street, N.W.
Washington, DC 20005
Telephone: (202) 551-1700
Facsimile: (202) 551-1705
allansoobert@paulhastings.com
blairjacobs@paulhastings.com
stephenkinnaird@paulhastings.com

Christopher W. Kennerly
Joseph J. Rumpler, II
PAUL HASTINGS LLP
1117 S. California Avenue
Palo Alto, CA 94304
Telephone: (650) 320-1800
Facsimile: (650) 320-1900
chriskennerly@paulhastings.com
josephrumpler@paulhastings.com

Ariell Bratton (*pro hac vice*)
PAUL HASTINGS LLP
4747 Executive Drive, 12th Floor
San Diego, CA 92121
Telephone: (858) 458-3000
Facsimile: (858) 458-3005
jeffreycomeau@paulhastings.com
ariellbratton@paulhastings.com

Soyoung Jung (*pro hac vice*)
PAUL HASTINGS LLP
515 South Flower Street, 25th Floor
Los Angeles, CA 90071
Telephone: (213) 683-6000
Facsimile: (213) 627-0705
soyoungjung@paulhastings.com

Grant N. Margeson
PAUL HASTINGS LLP
101 California Street, Forty-Eighth Floor
San Francisco, CA 94111
Telephone: (415) 856-7000
Facsimile: (415) 856-7100
grantmargeson@paulhastings.com

Melissa R. Smith
Texas State Bar No. 24001351
Harry L. Gillam, Jr.
Texas State Bar No. 07921800
GILLAM & SMITH, LLP
303 S. Washington Ave.
Marshall, TX 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
melissa@gillamsmithlaw.com
gil@gillamsmithlaw.com

COUNSEL FOR DEFENDANTS SAMSUNG
ELECTRONICS CO., LTD.; SAMSUNG
ELECTRONICS AMERICA, INC.;
SAMSUNG SEMICONDUCTOR, INC.;
SAMSUNG AUSTIN SEMICONDUCTOR,
LLC; GLOBALFOUNDRIES INC.;
GLOBALFOUNDRIES U.S. INC.; and
QUALCOMM INCORPORATED

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on this 10th day of October, 2019. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Allan M. Soobert
Allan M. Soobert